



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: LIU ET AL.

APPLICATION NO.: 10/825,382

FILED: April 14, 2004

FOR: METHOD OF TREATMENT
USING INTERFERON-TAU

EXAMINER: SNYDER, STUART

ART UNIT: 1648

CONF. NO: 8686

**Information Disclosure Statement After First Office Action but Before
Final Action or Notice of Allowance—37 CFR 1.97(c)**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed **after** three months of the filing date of this application or **after** the mailing date of the first office action on the merits, whichever occurred last, but **before** the mailing date of either a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of references 1-2 are issued patent(s) and/or published application(s) and are not enclosed (see C.F.R. §1.98(a)(2)(i)).
- ☒ A copy of reference 3 is enclosed.

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item was cited in a communication from a foreign patent office or in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

No fee is believed due because this Information Disclosure Statement is being filed with the certification statement of §1.97(e)(2) and applicant did not know of reference more than three months prior to the filing of this information disclosure statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge any deficiency in fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☒ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

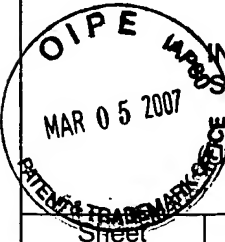
Respectfully submitted,
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 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) Use several sheets if necessary				COMPLETE IF KNOWN	
				Application Number	10/825,382
				Confirmation Number	8686
				Filing Date	April 14, 2004
				First Named Inventor	Liu <i>et al.</i>
				Group Art Unit	.1648
				Examiner Name	Snyder, Stuart
Sheet	1	of	1	Attorney Docket No.	55600-8014.US01

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1.	2004/0247565	A1	Liu <i>et al.</i>	12/9/04	
	2.	2005/0265968	A1	Liu <i>et al.</i>	12/1/05	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	3.	PCT	WO05/087254	A2	Pepgen Corporation	9/22/05		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).	